

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION**

**MDL 2724
16-MD-2724**

THIS DOCUMENT RELATES TO:

HON. CYNTHIA M. RUFÉ

ALL ACTIONS

**PRETRIAL ORDER NO. 166
(ALLOWING WRITTEN DISCOVERY TO PROCEED;
LIMITED STAY OF DEPOSITIONS)**

AND NOW, this 8th day of April 2021, upon consideration of the Joint Stipulation [MDL Doc. No. 1730], it is hereby **ORDERED** that the stipulation is **APPROVED** as follows:

1. The terms outlined below shall apply until **May 31, 2021**.
2. Initial disclosures remain stayed (as per PTO No. 44).
3. All types of written discovery, including requests for production of documents, interrogatories, and requests for admissions, may be served.
4. Depositions of individuals on a list that the U.S. Department of Justice provided to counsel for the parties and the court on March 30, 2021 are stayed.
5. Other than the limitations imposed in Paragraph 4, the parties may notice depositions and shall meet and confer as necessary to schedule depositions.¹
6. The parties shall simultaneously serve written discovery requests and notices of deposition to the U.S. Department of Justice. If the United States objects to any proposed written discovery request or notice of deposition, the United States will notify the party of the basis for

¹ This order is without prejudice to motions to stay certain discovery and depositions that have been filed by Defendants Teva Pharmaceuticals USA, Inc. and Ara Aprahamain; those motions will be decided separately.

the objection, and if necessary, bring that objection to the Special Masters for resolution pursuant to PTO No. 163 (“Revised Special Masters’ Protocol”). The proposed discovery shall be stayed pending resolution.

7. The parties shall not seek and shall not respond to discovery in this MDL about the criminal investigation that the Antitrust Division of the U.S. Department of Justice is conducting into the generic pharmaceuticals industry.

8. A person responding to a discovery request in this MDL (e.g., subpoena, request for production of documents, notice of deposition) (“Responding Person”) shall not disclose in such response what documents or other information have been provided to the Department of Justice in the course of its criminal investigation into the generic pharmaceuticals industry, provided that nothing in this paragraph requires any modification of any document control number or other endorsement on a document, nor prohibits or excuses a Responding Person from providing documents or other information that previously had been provided to the Department of Justice.

9. Nothing in this Order precludes a party or subpoenaed party from objecting to, moving to quash, or seeking a protective order excusing a response to any discovery request, including filing a motion to extend the stay of any depositions beyond May 31, 2021, provided the objection is made in good faith.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.